

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

3

WRIT PETITION NO. 577 / 2006.

Single Bench

PETITIONER

P.R. No. 503/06
Presented by S. K. Mishra
dated 30/1/06

Pahalvan Singh Thakur
Ex-Police Constable No. 253
R/o village Tamud Akaltara
Distt. Janjgir-Champa C.G.

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through : Chief Secretary
Home Department (Police)
D.K.S. Bhavan Raipur (C.G.).
2. Inspector General of Police
Police Head Quarter, Raipur (C.G.).
3. Superintendent of Police
Bilaspur (C.G.)
4. Collector Bilaspur
Distt. Bilaspur (C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION
OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT, ORDER
AND DIRECTION.

The petitioner named above, most humbly and
respectfully begs to submit as under :

आदेश पत्रक
 W.P. 517/06
 मामला क्रमांक सन् 200
 विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	2-2-2006 Shri Surya Kant Mishra, counsel for the petitioner. Shri Sandeep Dubey, Govt. Advocate for the State. Heard. The petitioner has filed this petition against an order dated 27-5-1983 passed by respondent no. 3. The petitioner was in service of the erstwhile State of Madhya Pradesh. An accused escaped on 7-2-1983 from police custody. Departmental Enquiry was held and in enquiry the petitioner was found guilty and as per Annexure P-1 dated 27-5-1983, his services were terminated. Learned counsel for the petitioner submits that the petitioner preferred an appeal against the said termination, which was decided on 23-7-1983. Learned counsel further submits that thereafter the petitioner preferred a mercy petition, which was also rejected on 6-12-1983. Learned counsel also submits that the petitioner again preferred a mercy petition, which was also dismissed on 25-11-1985. Learned counsel also submits that again a mercy petition was filed by the petitioner, which was also dismissed on 1-8-1991. Learned counsel for the State on the other hand submits that the petitioner has filed this petition after 21 years, which is highly belated. This Court perused the detailed order dated 27/5/1983. The petitioner stated that he preferred an appeal against his termination, which was rejected on 23/7/1983. Thereafter, he filed the mercy petition, which was rejected on 6/12/1983. Again he filed a mercy petition, which was rejected on 25/11/1985. Again he filed a mercy petition, which was also	

[पीछे देखिये]

आदेश पत्रक

मामला क्रमांक

WP 517/06

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी-रजिस्ट्रार के अन्तिम आदेश
	rejected. He did not file any of the proceedings. The present petition is filed after 21 years. The delay is writ large. Having considered the facts and circumstances of the case and material on record, not a case for setting aside the order of punishment dated 27/5/1983 while exercising the extraordinary jurisdiction under Article 226/227 of the Constitution of India.. The petition fails and is dismissed. It is however made clear that since the petitioner remained in service from the year 1967 to 27/5/1983 and ^{if} ~~any amount~~ ^{monetary} of claim is due ~~for the period~~ ^{for the period}, the petitioner may make a representation to the authorities concerned, which shall be dealt with on its own merits in accordance with law. In case any amount is due to be payable to him, the same be paid to him.	Sd/- Fakhruddin Judge

P/H-

a.

[पीछे देखिये]

14.2.06